SHRI SHIVRAJ V. PATIL: Sir, it goes without saying that when Mr. Arun Shourie gets up and puts a question, I say 'Yes' to it! When he says that the number of the districts affected by naxalites has gone up, I had corrected it many times and yet, because Mr. Shourie says it, people accept it. I shall have to explain it again and here also...(*Interruption*)...

MR. CHAIRMAN: Let him finish.

SHRI ARUN SHOURIE: Actually, Sir, they have done a very interesting thing under the Ministry. They have changed the definition of what is 'affected'. You will come to that in the afternoon.

SHRI SHIVRAJ V. PATIL: Sir, the simple and direct reply is, 'yes, I am ready'!

SHRI ARUN SHOURIE: That is wonderful!

श्री सभापति: श्री सी॰ राम चन्द्रैय्या जी के प्रश्न का भी आप उत्तर दे दीजिए।

SHRI SHIVRAJ V. PATIL: Sir, I am sorry that I do not have the requisite information available with me about infiltration in other States. But there also, the position has improved and there, there is not so much a question of infiltration as the terrorists modules are working over there and creating problems. But if this question were to be separately asked, I would definitely try to reply to it in a littel more detail. The situation in the North-East has also improved. There is no question of increase in infiltration as such in the North-Eastern States. Some infiltration is there, but, in my opinion and as per the information available with me at present, there has been no increase in the infiltration.

*43. [The questioner SHRIMATI S.G. Indira was absent. For answer *vide* page 30.]

Special Economic Zones

44. SHRI RAMDAS AGARWAL: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) how many SEZs are at present operational in the country, State-wise;

(b) how many SEZs are in the pipeline and by when these are expected to become operational;

(c) what tax advantages are being given to SEZ units; and

(d) how much tax would have been collected by Government if these advantages/concessions/benefits would not have been given?

THE MINISTER OF COMMERCE AND INDUSTRY (SHRI KAMAL NATH): (a) At present, 28 Special Economic Zones (SEZs) are operational in the country, State-wise list of these SEZs is given in the Statement (*See* below).

(b) 95 approved SEZs are in the pipleline. The Developers of the SEZs are expected to take effective steps to implement the projects within a period of three years from the date of approval.

(c) The major incentives offered to units in the Special Economic Zones (SEZs) to promote exports include duty free import/domestic procurement of goods, exemption from Central Sales Tax on supplies made from Domestic Tariff Area, exemption from service tax and 100% income tax exemption on export income for the first 5 years, 50% for the next 5 years and 50% of ploughed back profits for the next 5 years.

(d) The tax that would have been collected by the Government if these advantages/concessions/benefits had not been given, cannot be estimated, as it is not possible to say how much investment would have taken place had there been no incentives.

Statement

Number of operational SEZs, State-wise

States	Number
Maharashtra	2
Gajarat	5
Uttar Pradesh	1
Tamil Nadu	7
Kerala	1

States	Number
West Bengal	3
Andhra Pradesh	3
Rajasthan	2
Madhya Pradesh	1
Karnataka	2
Punjab	1
TOTAL	28

श्री रामदास अग्रवाल: सभापति महोदय, इस समय देश में एसईजेड्स और ईपीजेड्स की बाढ़ आ रही है और पिछले ही दिनों समाचार पत्रों में पढ़ने को मिला था कि कई प्रदेशों में हजारों करोड़ रुपये लेकर बड़े-बड़े कार्पोरेट क्षेत्र के लोग विभिन्न प्रान्तों में ईपीजेड और एसईजेड्स के लिए आगे आ रहे हैं। इसमें कोई आपत्ति नहीं है, क्योंकि इसके द्वारा एक्सपोर्ट एवं अन्य उत्पादों का बाजार बढ़ रहा है, लेकिन इस संबंध में मैं दो-तीन प्रश्न आपके सामने रखना चाहता हूं, क्योंकि यह जो बाढ़ आ रही है ...(व्यवधान)...

श्री सभापति: एक ही प्रश्न करिए और जल्दी करिए ...(व्यवधान)... आप अपना प्रश्न जल्दी करिए और एक ही प्रश्न करिए।

श्री रामदास अग्रवाल: मैं एक साथ दो अथवा तीन प्रश्न नहीं पूछ रहा हूं, अभी तो मैं पहला ही ...(व्यवधान)...

श्री सभापति: आप ज्यादा समय मत लीजिए, समय जाता जा रहा है।

श्री रामदास अग्रवाल: इसमें सबसे महत्वपूर्ण प्रश्न यह है कि जो टैक्स बैनिफिट्स सेल्स टैक्ट, इन्कम टैक्स, एक्साइज और कस्टम में दिए गए हैं, सस्ती दरों पर जमीन उपलब्ध कराने के कारण इन क्षेत्रों में इस समय पैसे लगाने वालों की बाढ़ आ रही है। सभापति जी, इसमें सबसे महत्वपूर्ण प्रश्न खड़ा होता है, जैसे पीछे एक सुझाव आया कि हरियाणा में 12,000 एकड़ जमीन ली जाएगी और वहां एक एसईजेड स्थापित किया जाएगा, प्रश्न यह है कि ऐसी जमीन जो खेती के लिए बहुमूल्य है, बहुत आवश्यक है ...(व्यवधान)...

श्री सभापति: देखिए, आप प्रश्न करिए, प्रश्न के अलावा कुछ मत कहिए।

श्री रामदास अग्रवाल: सर, मैं तो प्रश्न ही कर रहा हूं ...(व्यवधान)...

श्री सभापति: नहीं, आप केवल अपना प्रश्न पूछिए।

श्री रामदास अग्रवाल: मैं यही पूछ रहा हूं कि जो जमीन खेती के लिए आवश्यक है, क्या हम इस बात का भी मूल्यांकन कर रहे हैं या करेंगे कि खेती योग्य बहुमूल्य भूमि इन एसईजेड्स के क्षेत्रों में न जाए। इसी प्रश्न का दूसरा भाग यह है कि इस मामले में किसानों के हित या अहित का खयाल रखा जा रहा है या नहीं रखा जा रहा है? यह मेरा पहला प्रश्न है।

श्री सभापति: माननीय मंत्री जी, आप इनके पहले प्रश्न का उत्तर दीजिए।

श्री कमल नाथ: सर, जहां तक जमीन की बात है और इन्होंने हरियाणा के संदर्भ में एक एसईजेड के बारे में जो उदाहरण दिया है, सर, इस बात की देख-रेख राज्य सरकार को करनी है कि वह कैसी जमीन है, वह जमीन मास्टर प्लान में है अथवा जमीन उस जमीन का लैंड यूज किया है। एक बात स्पष्ट और साफ है कि एसईजेड्स की आवश्यकता भी है और इसकी मांग भी है। राज्य सरकारों के कई मुख्य मंत्रियों ने लिखा है कि वे और अधिक एसईजेड लगेगा तो जमीन में ही लगेगा, वह आसमान में तो लग नहीं सकता है और अगर जमीन में लगेगा तो राज्य सरकारें इस चीज की जांच करेंगी कि वह कैसी जमीन है। वह जमीन खेती के लायक है अथवा नहीं है अथवा फिर उसका सही लैंड यूज क्या है। यह सब देखने के बाद ही राज्य सरकारें इसमें सहमति देती हैं और तभी केन्द्र की ओर से इसकी स्वीकृति दी जाती है।

श्री रामदास अग्रवाल: सभापति महोदय, आपने यह मामला राज्य सरकार पर छोड़ दिया, यह तो अच्छी बात है, लेकिन अन्तिम रूप में एसईजेड्स का एप्रूवल केन्द्र सरकार ही देती है। जब आप अन्तिम रूप में अनुमति देने का अधिकार रखते हैं तो आप इस प्रकार का नियम बनाने का विचार रख सकते हैं कि ऐसी गाइडलाइन्स बनाई जाएं कि ऐसे एसईजेड क्षेत्र जो हजारों एकड़ भूमि लेंगे, हजारों करोड़ रुपये की लागत से बनेंगे, यह अच्छा कार्य है और स्वागत योग्य है, लेकिन उचित हो कि इसके लिए आप ऐसे क्षेत्रों को लें जहां पर कृषि योग्य भूमि को नुकसान न पहुंचे अथवा वहां से कृषि को हटा कर उद्योग लगा दिया जाए। आप इस प्रकार की गाइडलाइन बना सकते हैं, आप बनाएंगे या नहीं बनाएंगे, यह तो आपके ऊपर निर्भर करता है, लेकिन मैं ...(**व्यवधान**)...

श्री सभापति: मंत्री जी, आप जवाब दीजिए कि आप बनाएंगे या नहीं बनाएंगे।

श्री रामदास अग्रवाल: सभापति महोदय, ...(**व्यवधान**)...

श्री सभापति: नहीं अब आप आगे मत पूछिए।

श्री रामदास अग्रवाल: नहीं सर, मेरा यह सुझाव था कि ...(**व्यवधान**)...

श्री सभापति: सुझाव रहने दीजिए, आप क्वेश्चन करिए।

श्री रामदास अग्रवाल: सभापति महोदय, मेरा प्रश्न दूसरा है ...(व्यवधान)...

श्री सभापति: अब आपका प्रश्न हो गया है।

श्री रामदास अग्रवाल: नहीं सर, मेरा प्रश्न अभी खत्म नहीं हुआ है ...(व्यवधान)।

श्री सभापति: इस तरह तो आपका प्रश्न खत्म होगा भी नहीं, ...(व्यवधान) जिस स्पीड से आप बोल रहे हैं, उस स्पीड से तो क्वेश्चन खत्म ही नहीं होगा।

श्री रामदास अग्रवाल: सर, मैं स्पीच नहीं दे रहा हूं, मैं तो प्रश्न पूछ रहा हूं। हमारे मंत्री महोदय ने जो जवाब दिया है, उसका जो 'बी' भाग है, उसमें उन्होंने कहा है कि इस प्रकार के एसईज़ेड्स में जो टैक्स बैनिफिट्स दिए जाएंगे, क्या उसका कोई ऐसेसमेंट है? ...(व्यवधान)

श्री सभापति: आप क्वेश्चन करिए, रामदास जी।

श्री रामदास अग्रवाल: मैं प्रश्न ही पूछ रहा हूं लेकिन वे ...(व्यवधान) मुझे नहीं मालूम।

श्री सभापति: प्रश्न पूछिए, आप लम्बा बहुत कर रहे हैं।

श्री रामदास अग्रवाल: मैं कॉमर्स मिनिस्टर साहब से पूछ रहा हूं कि क्या कोई समय ऐसा आएगा, जब आप यह असेसमेंट करेंगे और देश को बताएंगे कि एक्सचेकर को ...(व्यवधान)...

श्री सभापति: क्या आपका कोई समय आएगा?

श्री रामदास अग्रवाल: इस प्रकार के बेनीफिट देने से एक्सचेकर का कितना रुपया इन लोगों के हाथों में जा रहा है, इस बारे में क्या आप जानकारी देंगे? आज आपने यह जानकारी नहीं दी है।

श्री कमल नाथ: महोदय, यह एसईजेड एक्ट इस सदन ने पास किया है। यह केवल गवर्नमेंट की बनायी हुई नीति नहीं है। यह एसईजेड एक्ट इस सदन ने पास किया है। उस समय बड़ा सोच-विचार करके इस सदन ने और लोक सभा ने, जब इसे पास किया, तब इस प्रश्न पर विचार किया गया था। इसमें कितने कंसेशंस दिए जाएंगे और उसका क्या मूल्यांकन है, यह नहीं किया जा सकता क्योंकि बहुत सारे-जैसे आप खुद ही कह रहे थे कि बाढ़ आ रही है ...(व्यवधान)

श्री रामदास अग्रवाल: जो अब तक हो चुका उसका दे सकते हैं। कितना नुकसान हुआ या कितना नुकसान होने वाला है ...(व्यवधान)

श्री कमल नाथ: हमारे नज़रिए में जो यह इनवेस्टमेंट है, यह इंक्रीमेंटल इनवेस्टमेंट है। अभी भी, जो पहले आठ एक्सपोर्ट ज़ोन्स काम कर रहे थे, जो एसईजेड बनाए गए और जो नए बनाए गए हैं,

अगर उन पर ही हम देखें कि कितना एक्सपोर्ट हुआ और कितने रोज़गार के नए मौके मिले तो जो छूट दी जा रही है, एक्सपोर्ट के लिए तथा उन यूनिट्स को, डेवलपर्स को, मैं मानता हूं कि यह बहुत कम है।

SHRI JASWANT SINGH: Sir, I have an apprehension that what is a very good idea is likely to get defeated through over-exploitation. I submit for the Government's consideration that you have about 120 Special Economic Zones. Let me just illustrate by citing one example and then making one request to the Government. For example, export of sugar is banned. But, export of sugar from SEZs is permitted.

SHRI KAMAL NATH: It is not permitted.

SHRI JASWANT SINGH: If it is not permitted, I will correct myself. But, the possibility of an SEZ being misused for a purpose totally different from what was originally intended, does raise a caution in our mind. We do appeal to the Government, please, don't let it turn into an orgy of SEZs because 120 SEZs is not really what the country requires. I recommend for the Government's consideration that— the number of SEZs is about 78 or so, out of which, how many have got implemented— please call a halt; do call a halt; see what results you get out of them and only then proceed further on this line.

SHRI KAMAL NATH: Sir, I appreciate the Member's caution that SEZs should not become a vehicle of abuse or misuse, undoubtedly. And, the Government is being cautious. We must recognise that this is the first time after the SEZ Act was passed couple of months ago. Sir, just to put the figures correctly, there were eight old SEZs, which got converted once the Act got passed. They were brought into the ambit of SEZ Act. Now, there are 20 more operational, that is, which came into operation after the SEZ Act was passed. Sir, when you are reading that so many have been approved, I am afraid, this picture is also not correct because there are three stages of approval. First is when somebody comes and makes the application and says that he does not have the land but if, in principle, his project looks all right, only then will he go ahead. So, the first stage is 'in principle' approval. Now, large number of these 'in principle' approvals may not be converted. Then, next stage is what we call a formal approval. And, the last stage is notification. Sir, only ten SEZs have been notified so far despite 106 formal approvals and 80 in principle

approvals having been given. So, many of them would just fade away. Now, there is a lot of pressure. State Governments are very enthusiastic of it. In fact, Chief Ministers are writing to me saying that this project should be supported; so much should be supported. A large number of them have come up in just 4-5 States. There are some States where there are no proposals because proposals have to come from developers. Sir, there are again two parts of it. One is developer and the other is the units in the developers. Each has separate concessions. If the hon. Member has any specific caution, I will be very happy to look at that because any caution that needs to be exercised, we will be willing to do so.

DR. MURLI MANOHAR JOSHI: He is not only a Member of the House; he is the Leader of the Opposition. ...(*Interruptions*)...

SHRI SITARAM YECHURY: I have a small point in terms of a question and a caution. We have heard reports on a number of occasions where the normal investment that would have otherwise come, the State is now preferring it to come through the route of the SEZs. Now, are you, by any chance, instead of increasing the incentives for investment, creating an alternate route where normal investment ceases and it will only come here because of the incentives that you are offering. That would be very dangerous. So, what sort of guidelines are you going to have, or, what sort of restrictions are you going to have in order to check this sort of transfer that is taking place.

SHRI KAMAL NATH: Sir, the kind of investment that is going into SEZs is entirely different. For somebody who is putting up an investment for sale in the domestic area. ...(*Interruptions*)...

SHRI SITARAM YECHURY: There is a specific case and I know ...(*Interruptions*)...

SHRI KAMAL NATH: Sir, for that case, he will not go to an SEZ because when he sells from the SEZ to the domestic tariff area, he will have to pay full customs duty. On the other hand, Sir, if you look at what are the functional SEZs, some very interesting figures emerge. Out of the operational SEZs, which are many, in 2005-06, we have had exports of 22 thousand crores, and, against the exports of 18,309 crores of the previous year, 2004-05, this is an increase of over 30 per cent that is taking place in

exports itself, much more than the average export figures. The point to notice is: Are these export driven; is this new investment, which is export driven; is this incremental investment, and, from the facts available including from the facts which the employment is generating, these SEZs— 28 of them which are operational-- are employing one lakh and ten thousand people and 40 per cent are women.

When you will look at the picture as to what is there and what has happended in the last six months, it does not look that there is a diversion taking place.

SHRI V. NARAYANASAMY: Sir, I am grateful to the hon. Minister for he has said that one Special Economic Zone has been sanctioned to our State by the Government of India. Sir, earlier, the land to be utilized for Special Economic Zones, was a larger area. From time to time, it has been reduced. Now, as the hon. Member, Shri Sitaram Yechuryji has also said, even in one State, the smaller area of land that is available, people are trying to declare it as Special Economic Zone. Even a single person wants to declare it a Special Economic Zone to avail the facilities and the concessions that are given by the Government of India. Will the Government have a fixed policy without deviating from one State to the other? I want to know from the hon. Minister whether the Government will have a clear-cut policy on this ...(*Interruptions*)... It is not being followed. That is what I am telling. It has to be followed.

SHRI KAMAL NATH: Sir, it is provided in the rules as to what is the size which is required for a multi-product, what is the size for a sector specific, what is the size for gem and jewellery, and, there have been widespread consultations to arrive at the size. Sir, one thing is very clear that for very large areas in India because of the density of our population, various Panchayat lands and various forest lands etc., it becomes difficult to follow a pattern, say like China, where they are very large ones. This is an inherent problem that we have. But, guidelines are there, law is there, and, I think, there is nothing like sort of proliferation, or, very small ones are coming. These are very well defined in the Act.

SHRIMATI BRINDA KARAT: Sir, 40 per cent are the women. ...(*Interruptions*)... What are the labour laws?

श्री दत्ता मेघे: सर, आपके माध्यम से मैं यह पूछना चाहता हूं कि क्या महाराष्ट्र में दो विशेष आर्थिक ज़ोन दे रहे हैं? पिछली बार आपने कहा था कि नागपुर में देंगे, तो आप वहां आर्थिक ज़ोन दे रहे हैं या नहीं दे रहे हैं? आप हमारे पड़ोसी हैं, नेता हैं, आपने पिछली बार कहा था, तो नागपुर की ज़ोन्स के बारे में बताइए।

श्री कमल नाथ: सर, यह बात सही है कि मैं इनका पड़ोसी हूं और ये भी मेरे पड़ोसी हैं। यह बात भी कोई गलत नहीं है कि नागपुर को प्राथमिकता स्वाभाविक रूप से मिलनी चाहिए। और नागपुर को प्राथमिकता मिलेगी। ...(व्यवधान)...

MR. CHAIRMAN: Question Hour is over.

WRITTEN ANSWERS TO STARRED QUESTIONS

Review of military laws

*43. SHRIMATI S.G. INDIRA: Will the Minister of DEFENCE be pleased to state:

(a) whether Government are considering to review military laws;

(b) if so, the details thereof;

(c) whether it is also a fact that in several cases it has been noted that the punishment was not commensurate with the offences committed; and

(d) whether Government have received any recommendation to review the military laws?

THE MINISTER OF DEFENCE (SHRI PRANAB MUKHERJEE): (a) to (d) Review of military laws is a continuous process. These laws are amended from time to time as per operational needs of the Armed Forces as also to bring them in consonance with latest judicial pronouncements and development. So far sixteen (16) amendments have been made in the three Armed Forces Acts i.e. the Army Act, 1950, the Navy Act, 1957 and the Air Force Act, 1950.

The punishments awarded under the provisions of the military laws are decided by the competent Courts Martial or authorities keeping in view the nature or gravity of the offence committed. The relevant Armed